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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,137	01/30/2004	Sherif Yacoub	200310012-1	8264

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2614

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/769,137

Applicant(s)

YACOB ET AL.

Examiner

Gerald Gauthier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 11-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-14 and 17-26 is/are rejected.
- 7) ☒ Claim(s) 15 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. **Claim(s) 1-8, 11-14 and 17-26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. (US 2002/0095295 A1) in view of Honarvar et al. (US 7,231,657 B2).

Regarding **claim(s) 1**, Cohen discloses a method for extracting demographic information (paragraph 0002), comprising:

initiating a dialog between a contact and a call handling system (paragraph 0023);

selecting a set of demographic characteristics (paragraph 0021);

assigning a set of acoustic confidence scores to the demographic characteristics (paragraph 0024);

assigning a set of substantive confidence scores to the demographic characteristics (paragraph 0044);

combining the acoustic and substantive confidence scores for each of the demographic characteristics (paragraph 0048); and

tailoring information presented to the contact using the set of combined confidence scores (paragraph 0058).

Cohen fails to disclose presenting the contact with a set of multiple-choice questions.

However, Honarvar teaches wherein assigning substantive confidence scores includes: presenting the contact with a set of multiple choice questions associated with the demographic characteristics; collecting a set of responses to the multiple choice

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questions from the contact wherein the set of responses includes a choice that the contact selected from the multiple choices (column 12, line 49 to column 13, line 14);

comparing the contact's responses to a predefined body of multiple choice question responses associated with the set of demographic characteristics (column 12, line 49 to column 13, line 14); and

assigning a set of multiple choice confidence scores to the demographic characteristics based on the comparison (column 12, line 49 to column 13, line 14).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Cohen using the teaching of multiple choice questions as taught by Honarvar.

This modification of the invention enables the system to present the contact with a set of multiple-choice questions so that the user would be authenticated by the system.

Regarding **claim(s) 2**, Cohen discloses a method, wherein assigning substantive confidence scores includes: presenting the contact with a first substantive dialog (paragraph 0044);

collecting a set of responses to the first substantive dialog from the contact (paragraph 0044);

comparing the contact's responses to a predefined body of responses associated with the set of demographic characteristics (paragraph 0044); and

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assigning a first set of substantive confidence scores to the demographic characteristics (paragraph 0046).

Regarding **claim(s) 3**, Cohen discloses a method, wherein presenting includes: continuing to present the contact with the substantive dialog until one of the substantive dialog confidence score reaches a predetermined value (paragraph 0044).

Regarding **claim(s) 4**, Cohen discloses a method, wherein presenting includes: continuing to present the contact with the substantive dialog until a predetermined time period has expired (paragraph 0046).

Regarding **claim(s) 5**, Cohen discloses a method, wherein presenting includes: presenting the substantive dialog to the contact when the contact is placed on hold (paragraph 0044).

Regarding **claim(s) 6**, Cohen discloses a method, wherein assigning substantive confidence scores includes: presenting the contact with a second substantive dialog, in response to a request from the call handling system (paragraph 0046);

collecting a set of responses to the second substantive dialog from the contact (paragraph 0046);

comparing the contact's responses to the predefined body of responses associated with the set of demographic characteristics (paragraph 0046); and

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assigning a second set of substantive confidence scores to the demographic characteristics (paragraph 0046).

Regarding **claim(s) 7**, Cohen discloses a method, wherein assigning substantive confidence scores includes: presenting the contact with a probing dialog (paragraph 0044);

collecting a set of responses to the probing dialog from the contact (paragraph 0046);

comparing the contact's responses to a predefined body of probing dialog responses associated with the set of demographic characteristics (paragraph 0044); and

assigning a set of probing dialog confidence scores to the demographic characteristics (paragraph 0046).

Regarding **claim(s) 8**, Cohen discloses a method, wherein presenting includes: asking the contact a set of questions associated with the demographic characteristics (paragraph 0046).

Regarding **claim(s) 11**, Cohen discloses a method, wherein assigning acoustic confidence scores includes: extracting an acoustic feature from the contact's speech signal (paragraph 0046); and

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comparing the feature to a predefined body of speech signal features associated with the set of demographic characteristics (paragraph 0046).

Regarding **claim(s) 12**, Cohen discloses a method, wherein combining includes: weighting the confidence scores using ground truth data (paragraph 0044).

Regarding **claim(s) 13**, Cohen discloses a method, wherein weighting includes: adjusting a first confidence scores weight for a given demographic characteristic if the first confidence score differs from a second confidence score for that given demographic characteristic by a predetermined amount (paragraph 0044).

Regarding **claim(s) 14**, Cohen discloses a method, wherein combining includes: multiplying together the confidence scores for each demographic characteristic (paragraph 0046).

Regarding **claim(s) 17**, Cohen discloses a method, wherein combining includes: using a neural net to combine the confidence scores for each demographic characteristic (paragraph 0046).

Regarding **claim(s) 18**, Cohen discloses a method, wherein the neural net is a Multiple Layer Perception network (paragraph 0044).

Regarding **claim(s) 19**, Cohen discloses a method, wherein tailoring includes: identifying a sub-set of the demographic characteristics having combined confidence scores exceeding a predetermined set of thresholds (paragraph 0046); and presenting the contact with information specifically directed to contacts having the sub-set of demographic characteristics (paragraph 0058).

Regarding **claim(s) 20**, Cohen discloses a method, wherein the predetermined threshold is equal to a highest combined confidence score (paragraph 0058).

Regarding **claim(s) 21**, Cohen discloses a method, wherein the demographic characteristics include gender, age, accent, and stress level (paragraph 0046).

Regarding **claim(s) 22**, Cohen discloses a method for extracting demographic information (paragraph 0002), comprising:

- initiating a dialog between a contact and a call handling system (paragraph 0023);

- selecting a set of demographic characteristics (paragraph 0044);

- assigning a set of acoustic confidence scores to the demographic characteristics (paragraph 0044);

- assigning a set of substantive confidence scores to the demographic characteristics (paragraph 0046);

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combining the acoustic and substantive confidence scores for each of the demographic characteristics (paragraph 0046);

tailoring information presented to the contact using the set of combined confidence scores (paragraph 0058);

presenting the contact with a probing dialog (paragraph 0023);

collecting a set of responses to the probing dialog from the contact (paragraph 0044);

comparing the contact's responses to a predefined body of probing dialog responses associated with the set of demographic characteristics (paragraph 0046);

assigning a set of probing dialog confidence scores to the demographic characteristics (paragraph 0044).

Cohen fails to disclose presenting the contact with a set of multiple-choice questions.

However, Honarvar teaches wherein assigning substantive confidence scores includes: presenting the contact with a set of multiple choice questions associated with the demographic characteristics: collecting a set of responses to the multiple choice questions from the contact wherein the set of responses includes a choice that the contact selected from the multiple choices (column 12, line 49 to column 13, line 14);

comparing the contact's responses to a predefined body of multiple choice question responses associated with the set of demographic characteristics (column 12, line 49 to column 13, line 14); and

assigning a set of multiple choice confidence scores to the demographic characteristics based on the comparison (column 12, line 49 to column 13, line 14).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Cohen using the teaching of multiple choice questions as taught by Honarvar.

This modification of the invention enables the system to present the contact with a set of multiple-choice questions so that the user would be authenticated by the system.

Regarding **claim(s) 23**, Cohen discloses a computer-readable medium embodying computer program code for commanding a computer to extract demographic information (paragraph 0002), comprising:

- initiating a dialog between a contact and a call handling system (paragraph 0023);

- selecting a set of demographic characteristics (paragraph 0044);

- assigning a set of acoustic confidence scores to the demographic characteristics (paragraph 0044);

- assigning a set of substantive confidence scores to the demographic characteristics (paragraph 0044);

- combining the acoustic and substantive confidence scores for each of the demographic characteristics (paragraph 0046); and

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tailoring information presented to the contact using the set of combined confidence scores (paragraph 0058).

Cohen fails to disclose presenting the contact with a set of multiple-choice questions.

However, Honarvar teaches wherein assigning substantive confidence scores includes: presenting the contact with a set of multiple choice questions associated with the demographic characteristics: collecting a set of responses to the multiple choice questions from the contact wherein the set of responses includes a choice that the contact selected from the multiple choices (column 12, line 49 to column 13, line 14);

comparing the contact's responses to a predefined body of multiple choice question responses associated with the set of demographic characteristics (column 12, line 49 to column 13, line 14); and

assigning a set of multiple choice confidence scores to the demographic characteristics based on the comparison (column 12, line 49 to column 13, line 14).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Cohen using the teaching of multiple choice questions as taught by Honarvar.

This modification of the invention enables the system to present the contact with a set of multiple-choice questions so that the user would be authenticated by the system.

Regarding **claim(s) 24**, Cohen discloses a system for extracting demographic information (paragraph 0002), comprising a:

means for initiating a dialog between a contact and a call handling system (paragraph 0023);

means for selecting a set of demographic characteristics (paragraph 0044);

means for assigning a set of acoustic confidence scores to the demographic characteristics (paragraph 0044);

means for assigning a set of substantive confidence scores to the demographic characteristics (paragraph 0044);

means for combining the acoustic and substantive confidence scores for each of the demographic characteristics (paragraph 0046); and

means for tailoring information presented to the contact using the set of combined confidence scores (paragraph 0058).

Cohen fails to disclose presenting the contact with a set of multiple-choice questions.

However, Honarvar teaches wherein assigning substantive confidence scores includes: presenting the contact with a set of multiple choice questions associated with the demographic characteristics: collecting a set of responses to the multiple choice questions from the contact wherein the set of responses includes a choice that the contact selected from the multiple choices (column 12, line 49 to column 13, line 14);

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comparing the contact's responses to a predefined body of multiple choice question responses associated with the set of demographic characteristics (column 12, line 49 to column 13, line 14); and

assigning a set of multiple choice confidence scores to the demographic characteristics based on the comparison (column 12, line 49 to column 13, line 14).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Cohen using the teaching of multiple choice questions as taught by Honarvar.

This modification of the invention enables the system to present the contact with a set of multiple-choice questions so that the user would be authenticated by the system.

Regarding **claim(s) 25**, Cohen discloses a system for extracting demographic information (paragraph 0002), comprising:

an Interactive Voice Response module for initiating a dialog between a contact and a call handling system, and selecting a set of demographic characteristics (paragraph 0023);

an acoustic classifier for assigning a set of acoustic confidence scores to the demographic characteristics (paragraph 0044);

a substantive classifier for assigning a set of substantive confidence scores to the demographic characteristics (paragraph 0044); and

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a data combiner for combining the acoustic and substantive confidence scores for each of the demographic characteristics (paragraph 0046); and

wherein the Interactive Voice Response module further tailors information presented to the contact using the set of combined confidence scores (paragraph 0058).

Cohen fails to disclose presenting the contact with a set of multiple-choice questions.

However, Honarvar teaches wherein assigning substantive confidence scores includes: presenting the contact with a set of multiple choice questions associated with the demographic characteristics: collecting a set of responses to the multiple choice questions from the contact wherein the set of responses includes a choice that the contact selected from the multiple choices (column 12, line 49 to column 13, line 14);

comparing the contact's responses to a predefined body of multiple choice question responses associated with the set of demographic characteristics (column 12, line 49 to column 13, line 14); and

assigning a set of multiple choice confidence scores to the demographic characteristics based on the comparison (column 12, line 49 to column 13, line 14).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Cohen using the teaching of multiple choice questions as taught by Honarvar.

This modification of the invention enables the system to present the contact with a set of multiple-choice questions so that the user would be authenticated by the system.

Regarding **claim(s) 26**, Cohen discloses a system, wherein the substantive classifier includes: a probing dialog classifier for assigning a set of probing dialog confidence scores to the demographic characteristics (paragraph 0044); and a multiple-choice classifier for assigning a set of multiple-choice confidence scores to the demographic characteristics (paragraph 0044).

Allowable Subject Matter

5. **Claim(s) 15 and 16** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gerald Gauthier/
Primary Examiner
Art Unit 2614

GG
July 3, 2007